

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL A. BROWN and RICHARD J. MILLER

Plaintiffs,
-against-

NEW YORK STATE TROOPER E. E. REISER and
NEW YORK STATE TROOPER T. A. CHARKO,

Defendants.

-----X
**ORDER ON CONSENT
FOR SUBSTITUTION
F.R.C.P. Rule 25(a)**

19 Civ. 115884
(██████)(PED)

WHEREAS, Plaintiff Richard J. Miller (hereafter, sometimes referred to as "Mr. Miller") died on October 5, 2021, during the pendency of this action; and,

WHEREAS, a Motion pursuant to F.R.C.P. Rule 25(a) was timely made for an Order substituting Ms. Joan Serrecchia, Mr. Miller's mother, for Mr. Miller by reason of his demise; and,

WHEREAS, after the Motion was submitted, and a subsequent Affidavit consenting to Ms. Joan Serrecchia's substitution was obtained from Mr. Miller's sole distributee (i.e., his daughter Alexandria Miller), counsel for the Defendants consented to her substitution for Mr. Miller;

WHEREAS, Defendants' consent to entering into this Stipulation is conditioned upon the understanding that Ms. Joan Serrecchia is to be the exclusive representative of deceased Plaintiff Richard J. Miller's estate as pertains to all matters concerning this lawsuit, that no other person or entity will pursue any claim that has been or could be raised in this lawsuit against Defendants, the State of New York, the New York State Police (NYSP), or their agents and

assignees, and that Ms. Joan Serrecchia agrees to hold harmless Defendants, the State of New York, NYSP, and their agents and assignees, from any claim by such person or entity;

NOW, THEREFORE, on motion of Bloom & Bloom, P.C., attorneys for Plaintiff Michael Brown and to be substituted party, Ms. Joan Serrecchia, it is hereby

ORDERED, that Joan Serrecchia is hereby substituted for the late Plaintiff, Richard J. Miller pursuant to F.R.C.P. Rule 25(a); and, it is further

ORDERED, that the caption of the action is now amended to read:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

MICHAEL A. BROWN and JOAN SERRECCHIA
O/B/O the late RICHARD J. MILLER,

Plaintiffs,

-against-

**ORDER ON CONSENT
FOR SUBSTITUTION
F.R.C.P. Rule 25(a)**

19 Civ. 115884

(~~PED~~)(PED)

NEW YORK STATE TROOPER E. E. REISER and
NEW YORK STATE TROOPER T. A. CHARKO,

Defendants.

-----X

Dated:  , 2022
White Plains, New York


Hon. Paul E. Davison
United States Magistrate Judge

**CONSENT TO THE FOREGOING BEING ENTERED IS HEREBY EXTENDED AS TO
BOTH FORM AND CONTENT**

Kevig B. Bloom, Esq. (KB 5347)
Bloom & Bloom, P.C.
530 Blooming Grove Turnpike
New Windsor, New York

4-22-22

Date

Alex Smith
Alex Smith, Esq. (AS 5052)
6 North Street
Middletown, New York 10940

4/22/22

Date

Attorneys for
Plaintiff Michael Brown and
To-be-Substituted Party Joan Serrecchia
for the late Plaintiff, Richard J. Miller

Neil Shevlin
Neil Shevlin, AAG
NYS Attorney General
28 Liberty Street, 18th Fl.
New York, New York 10005

4/26/22

Date

Attorneys for Defendants
NEW YORK STATE TROOPER E. E. REISER and
NEW YORK STATE TROOPER T. A. CHARKO